
HOUSE BILL No. 1412

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-8.1-4-20.

Synopsis: Child work hours. Increases the number of hours that a child who is at least 16 years of age may work during a nonschool day and week without a parent's permission.

Effective: Upon passage.

Burton

January 14, 2003, read first time and referred to Committee on Labor and Employment.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1412

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-8.1-4-20, AS AMENDED BY P.L.234-1999,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 20. (a) This section applies only to
4 occupations for which a child who is fourteen (14) years of age or older
5 and less than eighteen (18) years of age must obtain an employment
6 certificate under this chapter.

7 (b) As used in this section, "nonschool week" refers to a week that
8 contains two (2) or less school days.

9 (c) **As used in this section, "nonschool day" refers to a day that**
10 **contains four (4) or less hours of classroom instruction.**

11 (d) As used in this section, "school day" refers to a day that contains
12 more than four (4) hours of classroom instruction.

13 ~~(d)~~ (e) As used in this section, "school week" refers to a week that
14 contains three (3) or more school days.

15 ~~(e)~~ (f) The following apply only to a child who is at least fourteen
16 (14) years of age and less than sixteen (16) years of age:

17 (1) The child may not work before 7:00 a.m. or after 7:00 p.m.



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However, the child may work until 9:00 p.m. from June 1 through Labor Day.

(2) The child may not work:

- (A) more than three (3) hours on a school day;
- (B) more than eighteen (18) hours in a school week;
- (C) more than eight (8) hours on a nonschool day; or
- (D) more than forty (40) hours in a nonschool week.

~~(f)~~ (g) A child who is at least sixteen (16) years of age and less than ~~seventeen (17)~~ **eighteen (18)** years of age may not **work**:

- (1) ~~work for~~ more than eight (8) hours in any one (1) **school** day;
- (2) ~~work for~~ more than thirty (30) hours in any one (1) **school** week;
- (3) ~~work for more than nine (9) hours in any one (1) nonschool day;~~
- (4) **more than forty (40) hours in any one (1) nonschool week;**
- (5) more than six (6) days in any one (1) week; or
- ~~(4) begin a work day (6) before 6:00 a.m.~~

~~(g)~~ A child who is at least ~~seventeen (17)~~ years of age and less than ~~eighteen (18)~~ years of age may not:

- ~~(1) work for more than eight (8) hours in any one (1) day;~~
- ~~(2) work for more than thirty (30) hours in any one (1) week;~~
- ~~(3) work for more than six (6) days in any one (1) week; or~~
- ~~(4) begin a work day before 6:00 a.m. on a school day.~~

(h) A child who is at least sixteen (16) years of age and less than eighteen (18) years of age may work until 10:00 p.m. on nights that are followed by a school day in any occupation except those which the commissioner of labor determines to be dangerous to life or limb or injurious to health or morals.

(i) An employer may employ a child who is at least sixteen (16) years of age and less than seventeen (17) years of age to work until midnight if:

- (1) the work will be performed:
 - (A) during a nonschool week; or
 - (B) on days that are not followed by a school day; and
- (2) the employer has:
 - (A) obtained written permission from a child's parent or legal guardian; and
 - (B) placed the written permission on file in the employer's office.

(j) An employer may employ a child who is at least sixteen (16) years of age and less than eighteen (18) years of age up to forty (40) hours during a school week if the employer has:

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(1) obtained written permission from a child's parent or legal guardian; and

(2) placed the written permission on file in the employer's office.

(k) If an employer has obtained written permission required under subsection (j), the employer may employ a child who is at least sixteen (16) years of age but less than eighteen (18) years of age for periods that do not exceed a total of nine (9) hours in any one (1) day and a total of forty-eight (48) hours in any one (1) nonschool week.

(l) A child who is seventeen (17) years of age or older but less than eighteen (18) years of age may work until 11:30 p.m. on nights that are followed by a school day if the employer has obtained written permission from the child's parent or legal guardian and placed the permission on file in the employer's office. A child covered by this subsection may work until 1 a.m. the following day if the employer has obtained written permission from the child's parent or legal guardian and placed the permission on file in the employer's office. However, the nights followed by a school day on which a child works until 1 a.m. the following day may not be consecutive and may not exceed two (2) nights per week.

(m) **Children** **Notwithstanding any provision in this section, a child** who ~~are~~ **is** sixteen (16) years of age or older and less than eighteen (18) years of age may be employed the same daily and weekly hours and at the same times of day as ~~adults~~ **an adult** if ~~they fit into any one (1) of the following categories~~ **the child:**

(1) ~~They are~~ **is** a high school graduate;

(2) ~~They have~~ **has** completed an approved vocational or special education program; **or**

(3) ~~They are~~ **is** not enrolled in a regular school term.

SECTION 2. An emergency is declared for this act.

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